

HOUSE BILL No. 1656

DIGEST OF INTRODUCED BILL

Citations Affected: IC 14-8-2-16.5; IC 14-22.

Synopsis: Fish and wildlife. Requires the department of natural resources to implement an automated point of sale hunting, fishing, and trapping licensing system. Provides for funding of the system. Increases various fish and wildlife license and permit fees. Establishes a fee to remove a wild animal that is damaging property. Makes conforming amendments. (The introduced version of this bill was prepared by the natural resources study committee.)

Effective: July 1, 2003; July 1, 2005.

Bischoff, Ulmer

January 21, 2003, read first time and referred to Committee on Agriculture, Natural Resources and Rural Development.

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First Regular Session 113th General Assembly (2003)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2002 Regular or Special Session of the General Assembly.

HOUSE BILL No. 1656

A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 14-8-2-16.5 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2003]: **Sec. 16.5. "Automated point of sale licensing system", for**
4 **purposes of IC 14-22, has the meaning set forth in**
5 **IC 14-22-12-7.5(a).**
- 6 SECTION 2. IC 14-22-3-5 IS AMENDED TO READ AS
7 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 5. (a) Except as
8 provided in subsection (b), the money in the fund shall be used for the
9 following purposes:
- 10 (1) Protecting and propagating game, fish, and birds in Indiana.
11 (2) Paying the operational expenses of the following:
12 (A) The fish and wildlife division.
13 (B) The law enforcement division.
14 (3) **Maintaining the automated point of sale licensing system**
15 **implemented under IC 14-22-12-7.5. However, the amount**
16 **that may be used under this subdivision during a fiscal year**
17 **may not exceed the amount transferred on July 1 of that fiscal**



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year under IC 14-22-4-6.

(b) Money in the fund that is attributable to money deposited under IC 33-19-7-5 shall be used to administer the following:

(1) The turn in a poacher program established under IC 14-9-8-23.

(2) The reward system established under the program.

SECTION 3. IC 14-22-4-6 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 6. (a) On July 1 of each year:

(1) all of the accumulated earnings in the fund; plus

(2) two and one-half percent (2 1/2%) of the money in the fund, less the accumulated earnings;

shall be transferred to the fish and wildlife fund **to maintain the automated point of sale licensing system implemented under IC 14-22-12-7.5. Any unused part of the transfer under this subsection may be used for the other purposes specified in IC 14-22-3-5(a).**

(b) The money in the fund may be used for no other purpose.

SECTION 4. IC 14-22-12-7.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 7.5. (a) As used in this section, "automated point of sale licensing system" means a system designed to dispense hunting, fishing, and trapping licenses.

(b) Before July 1, 2005, the department shall develop and implement an automated point of sale licensing system for use in Indiana for the sale of hunting, fishing, and trapping licenses to residents and nonresidents of Indiana.

(c) The department shall adopt rules under IC 4-22-2 to implement this section.

SECTION 5. IC 14-22-12-9 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 9. ~~(a) Each clerk of the circuit court or agent selling licenses under this article shall report to the director within five (5) days after the close of each quarter the following:~~

~~(1) The number of each respective kind of licenses sold during the preceding quarter.~~

~~(2) The serial numbers of the licenses.~~

~~(3) The number of unsold licenses of each kind remaining in the possession of the clerk or agent.~~

~~(b) At the time of making the report, the clerk or agent shall remit all money collected for the licenses.~~

~~(c) The clerk of the circuit court in each county shall retain as the~~

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property of the county the service fees provided by section 8 of this chapter from the sale of licenses sold by the clerk. The clerk shall pay the fees promptly into the county general fund as other fees are paid, subject to section 12 of this chapter.

SECTION 6. IC 14-22-12-10 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 10. ~~(a)~~ Each clerk of the circuit court who is an authorized representative of the department for the sale of hunting and fishing licenses may designate subagents in the county to sell licenses.

~~(b) Each year the subagent must execute a bond payable to the state in an amount not less than five thousand dollars (\$5,000); but large enough to cover the value of licenses distributed to the subagent and with the surety that is approved by the clerk; conditioned on the proper selling of the licenses and proper accounting for all money due to the state.~~

SECTION 7. IC 14-22-13-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 1. (a) This section applies to the following:

(1) The waters of the state.

(2) The boundary waters of the state, except Lake Michigan and the Ohio River.

(b) The department may issue to an individual who is a resident of Indiana a license to use in and to possess for use in the water seines, hoop nets, fyke nets, basket traps, basket nets, or trap nets under rules adopted under IC 4-22-2 upon payment of the following fee:

(1) For seines, except legal minnow seines, twenty dollars (\$20) for each one hundred (100) yards and fraction thereof.

(2) For each dip-net, hoop-net, basket trap, basket net, trap-net, or fyke-net, ~~four ten~~ dollars ~~(\$4)~~: **(\$10)**.

SECTION 8. IC 14-22-15-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 2. The annual fee for a charter fishing boat operator's license for a resident or a nonresident is one hundred ~~twenty-five~~ dollars ~~(\$100)~~: **(\$125)**.

SECTION 9. IC 14-22-16-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 1. (a) A person engaging in or continuing to engage in the business of taking, catching, selling, or bartering live minnows and crayfish for bait shall file an application with the division for a bait dealer's license. The application and the license must be on forms prescribed by the director.

(b) The fee for a license is as follows:

(1) ~~Ten~~ **Thirty** dollars ~~(\$10)~~ **(\$30)** for residents.

(2) Fifty dollars (\$50) for nonresidents.



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SECTION 10. IC 14-22-19-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 2. The department may issue the following licenses to engage in the business of buying furbearing mammals or the untanned hides, skins, and furs of furbearing mammals in Indiana upon payment of the following license fees:

(1) A resident buyer's license, authorizing purchases direct from trappers or from other licensed buyers, ~~seventy-five~~ **one hundred** dollars ~~(\$75)~~ **(\$100)**.

(2) A nonresident buyer's license, authorizing purchases direct from trappers or from other licensed buyers, ~~one~~ **two** hundred ~~twenty-five~~ dollars ~~(\$125)~~ **(\$200)**.

SECTION 11. IC 14-22-20-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 1. The department may, under rules adopted under IC 4-22-2, issue to a resident of Indiana, upon the payment of a fee of ~~fifteen~~ **forty-five** dollars ~~(\$15)~~ **(\$45)**, a license to:

(1) propagate in captivity; and

(2) possess, buy, or sell for this purpose only; game birds, game mammals, or furbearing mammals protected by Indiana law.

SECTION 12. IC 14-22-21-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 2. The department may, under rules adopted under IC 4-22-2, issue to a person, upon payment of a fee of ~~fifteen~~ **forty-five** dollars ~~(\$15)~~ **(\$45)**, a license to possess for taxidermy purposes a wild animal or the hide or skin of a wild animal:

(1) protected by Indiana law; and

(2) during the closed season for the animal.

SECTION 13. IC 14-22-22-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 2. An application for a license must:

(1) bear the signature of two (2) relevant scientists as references to:

(A) the character;

(B) academic and scientific accomplishments; and

(C) fitness;

of the applicant; and

(2) be accompanied by a fee of ~~ten~~ **twenty** dollars ~~(\$10)~~ **(\$20)**.

SECTION 14. IC 14-22-23-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 3. The fee for a falconry license is ~~sixty~~ **seventy-five** dollars ~~(\$60)~~ **(\$75)**.

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SECTION 15. IC 14-22-24-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 2. The department may issue a permit for a fee of ~~ten~~ **fifteen** dollars (~~\$10~~) (**\$15**) to a person to conduct a field trial under rules adopted under IC 4-22-2 for the protection of wild animals. The rules shall be incorporated in or attached to the permit when issued.

SECTION 16. IC 14-22-25-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 3. An application for a permit must be filed with the director not less than ten (10) days before the proposed date of importation. A fee of ~~five~~ **fifteen** dollars (~~\$5~~) (**\$15**) must accompany the application.

SECTION 17. IC 14-22-26-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 4. A permit issued under this chapter:

- (1) must be in the form prescribed by the director;
- (2) may not be issued unless the director is satisfied that the permit should be issued;
- (3) has an expiration date fixed by the director; and
- (4) has ~~a~~ **an annual** fee of ten dollars (\$10).

SECTION 18. IC 14-22-27-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 2. The fee for a permit under this chapter is ~~three~~ **fifteen** dollars (~~\$3~~) (**\$15**).

SECTION 19. IC 14-22-28-1, AS AMENDED BY P.L.155-2002, SECTION 7 AND P.L.158-2002, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 1. The director may issue to a person that owns or has an interest in property being damaged or threatened with damage by a wild animal protected by this article a ~~free~~ permit to take, kill, or capture the wild animal.

SECTION 20. IC 14-22-28-6, IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: **Sec. 6. The fee for a permit under this chapter is fifteen dollars (\$15).**

SECTION 21. IC 14-22-31-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 2. An application for a license under section 1 of this chapter must be accompanied by a fee of one hundred ~~twenty~~ dollars (~~\$100~~) (**\$120**) with the application.

SECTION 22. THE FOLLOWING ARE REPEALED [EFFECTIVE JULY 1, 2005]: IC 14-22-12-11; IC 14-22-12-13.

SECTION 23. [EFFECTIVE JULY 1, 2003] **(a) Notwithstanding IC 14-22-4-6, as amended by this act, on July 1, 2003, an amount not to exceed twenty-five percent (25%) of the money in the lifetime hunting, fishing, and trapping license trust fund**

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1 established by IC 14-22-4-2 shall be transferred to the fish and
2 wildlife fund established by IC 14-22-3-2 to develop and implement
3 the automated point of sale licensing system under IC 14-22-12-7.5,
4 as added by this act.

5 (b) This SECTION expires June 30, 2006.

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